REMARKS

This application has been reviewed in light of the Office Action dated June 26, 2003. Claims 1-16 are presented for examination. Claims 1, 3, 5, 11, 15 and 16 have been amended to define more clearly what Applicant regards as his invention. Claims 1, 3, 15 and 16 are in independent form. Favorable reconsideration is requested.

Applicants note with appreciation the indication that Claim 14 would be allowable if rewritten so as not to depend from a rejected claim, and with no change in scope. That claim has not been so rewritten because, for the reasons given below, its base claim is believed to be allowable.

Claims 1, 2 and 15 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,479,485 (Hayashi). Claims 3, 4, 6, 11-13 and 16 were rejected under 35 U.S.C. § 103(a) as being obvious from *Hayashi* in view of U.S. Patent 5,684,608 (Charbonnier et al.), Claim 5, as being obvious from those two patents in view of U.S. Patent 6,223,061 (Dacus et al.), Claims 7 and 8, as being obvious from *Hayashi* and *Charbonnier* in view of U.S. Patent 6,072,803 (Allmond et al.), and Claims 9 and 10, as being obvious from *Hayashi* and *Charbonnier* in view of U.S. Patent 5,517,552 (Yamashita).

As is described .in the present application, facsimile machines that can operate in a wireless-network environment are known. Such machines, however, even if constructed in a way that permits both wireless and wired operation, can only be switched between those two modes of operation manually, and special hardware may be required if such a machine is to be used in a wireless-only environment.

Independent Claim 1 is directed to a communication apparatus having a wired communication function, using a wired communication line, and a wireless communication function, using a wireless communication link. The communication apparatus of Claim 1 comprises determining means for determining a connecting condition of the wired communication line, input means for inputting transmission data, by a user, and communication means for selectively transmitting, in accordance with the determination by said determining means, the transmission data inputted by said input means via one of the wired communication line and the wireless communication link.

Thus, among other important features of the apparatus of Claim 1 is that the connecting condition of a wired communication line is determined, and, in accordance with the determination, transmission data input by a user is selectively transmitted via a wired communication line or via a wireless communication link. As a result of this feature, the manual mode-switching that is conventionally requried, can be dispensed with.

Hayashi relates to a facsimile apparatus that has a cordless telephone set, and in which a wired communication line is connected to either a facsimile communication portion or a base unit within the facsimile apparatus. In the *Hayashi* apparatus, if a CNG signal is detected when a call is received, the wired communication line is connected to the facsimile communication portion to perform facsimile communication, while if no CNG signal is detected, the wired communication line is connected to the base unit, and a notification is issued to a remote unit that a call has been received.

Even if *Hayashi* be deemed to disclose an arrangement in which a wired communication line that is already connected to the facsimile apparatus is selectively connected to a plurality of portions within the facsimile apparatus, however, that would not

teach or suggest the arrangement recited in Claim 1, in which data is transmitted either wirelessly or via a wired connection, selectively, depending on the determined connecting condition of the wired communication line. Accordingly, Claim 1 is believed clearly to be allowable over *Hayashi*.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of *Hayashi* as a reference against independent Claim 1, and that claim is therefore believed patentable over the art of record. For examle, *Charbonnier* relates to a facsimile apparatus which is operable both by a base station function and by a remote station function of a cordless telephone. *Dacus* relates to apparatus having an oscillator to switch frequency. *Allmond* has to do with monitoring a link signal of a network periodically, and *Yamashita* discusses displaying that a remote station of a facsimile is being used. Applicant submits, however, that nothing has been found in any of *Hayashi*, *Charbonnier*, *Dacus*, *Allmond* and *Yamashita* that would teach or suggest the feature that the connecting condition of the wired communication line is determined, as in the apparatus of Claim 1, much less that, based upon such determination, transmission data input by a user is selectively transmitted via a wired communication line or via a wireless communication link.

For these reasons, Claim 1 is believed to be clearly allowable over the art of record.

Independent Claim 3 is directed to a communication apparatus having a first mode for performing wireless communication under the control of a first wireless communication apparatus and a second mode for controlling so that a second wireless communication apparatus performs wireless communication. The communication

apparatus of Claim 3 comprises determining means for determining whether a wired communication line is connected to the claimed communication apparatus, and control means for automatically switching between the first mode and the second mode in accordance with the determination by the determining means.

Among other important features of the apparatus of Claim 3, therefore, is that a determination is made as to whether the wired communication line is connected to the communication apparatus, and in accordance with the determination, a first mode for performing wireless communication under the control of a first wireless communication apparatus and a second mode for controlling wireless communication of a second wireless communication apparatus are switched over automatically.

Applicant submits that nothing has been found, or pointed out, in the above-mentioned documents, including especially *Hayashi* and *Charbonnier*, that would teach or suggest determining whether a wired communication line is connected to the communication apparatus, much less controlling further processing (automatic switching over between the first mode and the second mode) based on the result of such determination. Accordingly, Claim 3 also is deemed clearly allowable over that art.

Independent Claims 15 and 16 are method claims corresponding, respectively, to apparatus Claims 1 and 3, and are believed to be patentable for at least the same reasons as discussed above in connection with Claims 1 and 3.

The other claims in this application are each dependent from one or the other of independent Claims 1 and 3, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

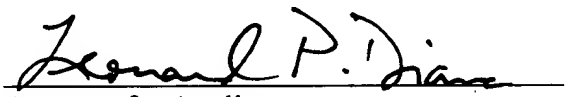
invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

An Information Disclosure Statement is in preparation and will be submitted shortly.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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